

July 12, 2021 – City Council Regular Meeting – 7:00 p.m.



City Council Chamber
390 Towne Centre Drive
Lathrop, California
(209) 941-7200
www.ci.lathrop.ca.us

City Council

Sonny Dhaliwal, Mayor
Jennifer Torres-O'Callaghan, Vice Mayor
Paul Akinjo
Minnie Diallo
Diane Lazard

City Staff

Stephen Salvatore, City Manager
Salvador Navarrete, City Attorney
Teresa Vargas, Government Services
Director / City Clerk
Glenn Gebhardt, City Engineer
Michael King, Public Works Director
Cari James, Finance and Administrative
Services Director
Mark Meissner, Community Development
Director
Zachary Jones, Parks, Recreation and
Maintenance Services Director
Ryan Biedermann, Chief of Police

General Order of Business

1. Preliminary
 - Call to Order
 - Closed Session
 - Roll Call
 - Invocation
 - Pledge of Allegiance
 - Announcements by Mayor/City Mgr.
 - Informational Items
 - Declaration of Conflict of Interest
2. Presentations
3. Citizen's Forum
4. Consent Calendar
5. Scheduled Items
 - Public Hearings
 - Appeals
 - Referrals and Reports from Commissions and Committees
 - All Other Staff Reports and/or Action Items
 - Study Sessions
6. Council Communications
7. Adjournment

Order of Discussion

Generally, the order of discussion after introduction of an item by the Mayor will include comments and information by staff followed by City Council questions and inquiries. The applicant, or their authorized representative, or interested residents, may then speak on the item; each speaker may only speak once to each item. At the close of public discussion, the item will be considered by the City Council and action taken.

Consent Calendar

Items on the Consent Calendar are considered routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or interested resident so requests, in which case the item will be removed from the Consent Calendar and considered separately.



JULY 12, 2021 – Regular Meeting Agenda – 7:00 p.m.



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See Reverse

IMPORTANT NOTICE REGARDING THIS MEETING & COVID-19

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 12, 2020, Governor Newsom issued Executive Order N-25-20, which allows Council Meetings to be conducted telephonically. On March 17, 2020, Governor Newsom issued Executive Order N-29-20, which allows for the public to participate in any meeting of the City Council by electronic means. This meeting is being conducted in person and by utilizing teleconferencing/electronic means consistent with State of California Executive Order N-29-20, dated March 17, 2020, and recent State Orders regarding the COVID-19 pandemic. In accordance with Executive Order N-29-20, the public may view the meeting on television and/or online.

Council Meetings are live-streamed (with Closed Captioning) on Comcast Cable Channel 97, and on the City Council Webpage: <https://www.ci.lathrop.ca.us/citycouncil/page/live-stream>

This meeting will be available for public participation by teleconference via ZoomGov at the following link:

<https://www.zoomgov.com/j/1616735165?pwd=U2F0N3pseWd0NEdiWW5kYm5ud1cudz09>

- ✚ During the meeting, those joining by ZoomGov, will be allowed to speak prior to the close of public comment on an item. If you are using this method, please "raise the hand" feature to inform the City Clerk (meeting host) you wish to speak on the matter. Please ensure your computer speaker and microphone are fully functional.
- ✚ For audio / calling in only, dial: +1 (669) 254 5252
 - To request to speak (same as the "raise hand" feature) press *9 / When the City Clerk calls your name, press *6 to unmute.
- ✚ Webinar ID: 161 673 5165 / Passcode: 091810
- ✚ If you are not able to attend the meeting in person or virtually - Public comment/questions will be accepted by email to City Clerk Teresa Vargas at website_cco@ci.lathrop.ca.us or by calling (209) 941-7230
- ✚ Questions or comments must be submitted by 4:00 p.m., on the day of the meeting.
- ✚ To address City Council in person, please submit a purple card to the City Clerk indicating name, address, and number of the item upon which a person wishes to speak.

Addressing the Council

Any person may speak once on any item under discussion by the City Council after receiving recognition by the Mayor. Purple speaker cards will be available prior to and during the meeting. To address City Council, a card must be submitted to the City Clerk indicating name, address and number of the item upon which a person wishes to speak. When addressing the City Council, please walk to the lectern located in front of the City Council. State your name and address. In order to ensure all persons have the opportunity to speak, a time limit will be set by the Mayor for each speaker (see instructions on speaker form). In the interest of time, each speaker may only speak once on each individual agenda item; please limit your comments to new material; do not repeat what a prior speaker has said. If you challenge the nature of a proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing.

Citizen's Forum

Any person desiring to speak on a matter, which is not scheduled on this agenda, may do so under the Citizen's Forum section. Please submit your purple speaker card to the City Clerk prior to the commencement of Citizen's Forum, or submit your request to speak via the "raise hand" feature in ZoomGov. Only those who have submitted speaker cards, or have expressed an interest to speak, prior to the conclusion of Citizen's Forum will be called upon to speak. Please be aware the California Government Code prohibits the City Council from taking any immediate action on an item, which does not appear on the agenda, unless the item meets stringent statutory requirements. The Mayor will limit the length of your presentation (see instructions on speaker form) and each speaker may only speak once on this agenda item. Please note, the Council Chamber has limited occupancy due to social distancing.

To leave a voice message for all Councilmembers simultaneously, dial (209) 941-7230. To send an e-mail for Councilmembers simultaneously email: citycouncil@ci.lathrop.ca.us. This City Council Agenda and meeting materials can be accessed by computer or any smart device at: <https://www.ci.lathrop.ca.us/meetings>

General Information

For reports citing supplemental documents relating to specific agenda items, these are available for review in the City Clerk's Office. This agenda was posted at the following locations: City Hall, Community Center, Generations Center, Senior Center, and the Lathrop-Manteca Fire District "J" Street and Somerston Parkway Offices. The meetings of the Lathrop City Council are broadcast on Lathrop Comcast Cable Television Channel 97 and live streamed on the City's website.

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility and/or accommodations to this meeting. [28 CFR 35.102-35.104 ADA Title II] Interested persons must request the accommodation at least 2 working days in advance of the meeting by contacting the City Clerk at (209) 941-7230. Information about the City or items scheduled on the Agenda may be referred to:

Teresa Vargas
Government Services Director / City Clerk
390 Towne Centre Drive
Lathrop, CA 95330
Telephone: (209) 941-7230

**CITY OF LATHROP
CITY COUNCIL REGULAR MEETING
MONDAY, JULY 12, 2021
7:00 P.M.
COUNCIL CHAMBER, CITY HALL
390 Towne Centre Drive
Lathrop, CA 95330**

AGENDA

PLEASE NOTE: There will be no Closed Session. The Regular Meeting will commence at 7:00 p.m.

1. PRELIMINARY

- 1.1 CALL TO ORDER
- 1.2 ROLL CALL
- 1.3 INVOCATION
- 1.4 PLEDGE OF ALLEGIANCE
- 1.5 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER
- 1.6 INFORMATIONAL ITEM(S) – None
- 1.7 DECLARATION OF CONFLICT(S) OF INTEREST

2. PRESENTATIONS

- 2.1 LATHROP POLICE DEPARTMENT PROJECT UPDATE, GG 21-11
- 2.2 ECONOMIC DEVELOPMENT UPDATE
- 2.3 INFORMATION ON OPTIONS FOR CANNABIS REGULATION AND TAXATION
- 2.4 MAYOR'S COMMITTEE REPORT(S)
 - Parks & Recreation Update on Committee Events and Programs

3. CITIZEN'S FORUM

Any person desiring to speak on a matter, which is not scheduled on this agenda, may do so under Citizen's Forum. Please submit a purple speaker card to the City Clerk prior to the commencement of Citizen's Forum. Only those who have submitted speaker cards, or have expressed an interest to speak, prior to the conclusion of Citizen's Forum will be called upon to speak. Please be aware the California Government Code prohibits the City Council from taking any immediate action on an item, which does not appear on the agenda, unless the item meets stringent statutory requirements.

The City Council can, however, allow its members or staff to briefly (no more than five (5) minutes) respond to statements made, to ask questions for clarification, make a brief announcement or report on his or her own activities. (See California Government Code Section 54954.2(a)). Unless directed otherwise by a majority of the City Council, all questions asked and not answered at the meeting will be responded to in writing within 10 business days. ALL PUBLIC COMMENTS MUST BE MADE IN COMPLIANCE WITH THE LATHROP CITY COUNCIL HANDBOOK OF RULES AND PROCEDURES!

4. CONSENT CALENDAR

Items on the Consent Calendar are considered routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless the Mayor, Councilmember, or citizen so requests, in which event the item will be removed from the Consent Calendar and considered separately.

- 4.1 **WAIVING OF READING OF ORDINANCES AND RESOLUTIONS**
Waive the Reading in Full of Ordinances and Resolutions on Agenda and Adopt by Reading of Title Only, Unless Otherwise Requested by the Mayor or a Councilmember
- 4.2 **APPROVAL OF MINUTES**
Approve Minutes for the Special Council Meetings of June 2, 2021 and June 3, 2021
- 4.3 **SECOND READING AND ADOPTION OF ORDINANCE 21-421 BY TITLE ONLY AMENDING THE 2003 WEST LATHROP SPECIFIC PLAN FOR THE RIVER ISLANDS MODIFIED PHASE 2 PROJECT (SPA-20-34)**
Waive Full Reading and Adopt Ordinance 21-421 by Title Only Amending the 2003 West Lathrop Specific Plan for the River Islands Modified Phase 2 Project (SPA-20-34)
- 4.4 **SECOND READING AND ADOPTION OF ORDINANCE 21-422 BY TITLE ONLY AMENDING THE ZONING MAP AND ZONING CODE TEXT FOR THE RIVER ISLANDS MODIFIED PHASE 2 PROJECT (REZ-20-35)**
Waive Full Reading and Adopt Ordinance 21-422 by Title Only Amending the Zoning Map And Zoning Code Text For The River Islands Modified Phase 2 Project (Rez-20-35)
- 4.5 **SECOND READING AND ADOPTION OF ORDINANCE 21-423 BY TITLE ONLY FINDING CONSISTENCY WITH THE LATHROP GENERAL PLAN AND 2020 WEST LATHROP SPECIFIC PLAN AND APPROVAL OF THE SIXTH AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LATHROP, CALIFIA, LLC., AND RIVER ISLANDS DEVELOPMENT, LLC. (DA-20-39)**
Waive Full Reading and Adopt Ordinance 21-423 By Title Only Finding Consistency With The Lathrop General Plan And 2020 West Lathrop Specific Plan And Approval Of The Sixth Amendment To The Development Agreement Between The City Of Lathrop, Califia, LLC., And River Islands Development, LLC (DA-20-39)

- 4.6 SECOND READING AND ADOPTION OF ORDINANCE 21-424 BY TITLE ONLY AMENDING LATHROP MUNICIPAL CODE TITLE 13, CHAPTER 13.08 WATER CONSERVATION AND RATIONING IN ACCORDANCE WITH THE CITY OF LATHROP URBAN WATER MANAGEMENT PLAN 2020 AND WATER SHORTAGE CONTINGENCY PLAN
Waive Full Reading and Adopt Ordinance 21-424 By Title Only Amending Lathrop Municipal Code Title 13, Chapter 13.08 Water Conservation And Rationing In Accordance With The City Of Lathrop Urban Water Management Plan 2020 And Water Shortage Contingency Plan
- 4.7 SECOND READING AND ADOPTION OF ORDINANCE 21-425 OF THE CITY OF LATHROP LEVYING SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 2021-1 (GATEWAY BUSINESS PARK CITY SERVICES)
Waive Full Reading and Adopt Ordinance 21-425 Of The City Of Lathrop Levying Special Tax Within Community Facilities District No. 2021-1 (Gateway Business Park City Services)
- 4.8 CALPERS 457 PLAN ADOPTION
Adopt a Resolution Approving the Adoption of California Public Employee's Retirement System Deferred Compensation Plan (CalPERS 457 Plan)
- 4.9 ADOPT LATHROP POLICE DEPARTMENT POSITIONS
Adopt a Resolution Approving the Creation of Police Department Positions, Job Descriptions, Sworn Compensation Plan, and Amend the Grade Step Table and Position Control Roster
- 4.10 ADOPTION OF 2021 ADEQUATE PROGRESS FINDING TOWARD PROVISION OF 200-YEAR URBAN LEVEL OF FLOOD PROTECTION FOR ISLAND RECLAMATION DISTRICT 2062 (RIVER ISLANDS PHASES 1 AND 2)
Adopt a Resolution Adopting 2021 Adequate Progress Findings Toward Providing a 200-Year Urban Level of Flood Protection in Phases 1 and 2 Levees of Island Reclamation District 2062 by the Year 2025, Acting as the Land Use Agency
- 4.11 VALIDATION OF THE JUNE 20, 2016 FINDING OF ADEQUATE PROGRESS IN THE MOSSDALE TRACT AREA
Adopt a Resolution Validating the June 20, 2016 Urban Level of Flood Protection (ULOP) Finding of Adequate Progress in the Mossdale Tract Area (Formally referred as Reclamation District 17 Basin), Acting as the Land Use Agency
- 4.12 AWARD CONSTRUCTION CONTRACT FOR CIP PS 06-06 RIVER ISLANDS PARKWAY WIDENING - PHASE 2 AND APPROVE RELATED BUDGET AMENDMENT
Adopt Resolution Awarding a Construction Contract to DSS Company dba Knife River Construction for CIP PS 06-06 River Islands Parkway Widening Project - Phase 2 and Approve Related Budget Amendment

- 4.13 APPROVAL OF TASK ORDERS NO. 22 AND NO. 23 WITH 4LEAF, INC. FOR PLAN CHECK AND STAFF AUGMENTATION SERVICES IN THE BUILDING DIVISION
Adopt Resolution Approving Task Orders No. 22 and No. 23 with 4LEAF, Inc., to provide Plan Check and Staff Augmentation Services in the Building Division Pursuant to Master Professional Services Consulting Agreement dated September 21, 2015 with 4LEAF, Inc.
- 4.14 APPROVAL OF TASK ORDER NO. 8 WITH INTERWEST CONSULTING GROUP, INC. FOR PLAN CHECK SERVICES IN THE BUILDING DIVISION
Adopt Resolution Approving Task Order No. No. 8 to provide Plan Check Services in the Building Division Pursuant to Master Consulting Agreement dated July 18, 2016 with Interwest Consulting Group, Inc.
- 4.15 APPROVAL OF NON-DISTURBANCE AND CONSENT AGREEMENT AND THIRD AMENDMENT TO THE SPRAYFIELD LEASE AGREEMENT DATED JULY 12, 2021, BETWEEN THE CITY OF LATHROP AND CALIFIA, LLC
Adopt a Resolution Approving a Non-Disturbance and Consent Agreement and Third Amendment to the Sprayfield Lease Agreement Dated July 12, 2021 between the City of Lathrop and Califia, LLC with Option to Purchase Sprayfields
- 4.16 APPROVAL OF FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 80 LOTS IN TRACT 4056 VILLAGE "DD2" WITHIN LAKESIDE EAST DISTRICT OF RIVER ISLANDS
Adopt Resolution Approving Final Map for Tract 4056 Village "DD2" within the Lakeside East District, Totaling 80 Single Family Lots, and Subdivision Improvement Agreement with River Islands Stage 2B, LLC

5. SCHEDULED ITEMS

- 5.1 AUTHORIZE NOTICE OF INTENT TO ADOPT THE GROUNDWATER SUSTAINABILITY PLAN FOR THE TRACY SUBBASIN
Adopt a Resolution Authorizing a Notice of Intent to Adopt the Groundwater Sustainability Plan for the Tracy Subbasin

6. COUNCIL COMMUNICATIONS

- 6.1 MAYOR DHALIWAL REFERRAL – Appoint One (1) Member to the San Joaquin County Mosquito & Vector Control District Board of Trustees, with Term Ending December 31, 2024, due to Unexpired Term Vacancy
- One (1) Application Received
- 6.2 MAYOR DHALIWAL REFERRAL – Appoint Eleven of Thirteen (11 of 13) Members to the Youth Advisory Commission, with Term Ending May 31, 2022
- Eleven (11) Applications Received
- 6.3 COUNCILMEMBER DIALLO REFERRAL – Social Media Policy

- 6.4 COUNCILMEMBER DIALLO REFERRAL – Shopping Cart Retrieval Program
- 6.5 VICE MAYOR TORRES-O’CALLAGHAN REFERRAL - Surveillance Camera(s) Installation at City Parks
- 6.6 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)
- *Central Valley Executive Committee/LOCC (Akinjo/Diallo)*
 - *Council of Governments (Lazard/Diallo)*
 - *Integrated Waste Management Solid Waste Division (Akinjo/Torres-O’Callaghan)*
 - *Reclamation District 17 Joint Powers Authority (Salvatore)*
 - *San Joaquin Partnership Board of Directors (Salvatore)*
 - *San Joaquin County Commission on Aging (Zavala)*
 - *San Joaquin Valley Air Pollution Control District (Akinjo/Dhaliwal)*
 - *Water Advisory Board (Torres-O’Callaghan/Lazard)*
 - *Tri Valley-San Joaquin Valley Regional Rail Authority (Akinjo)*
 - *San Joaquin Area Flood Control Agency (Akinjo & Lazard)*
 - *LAFCo (Dhaliwal)*
- 6.7 MAYOR & COUNCILMEMBER COMMENT(S)

7. ADJOURNMENT

/Teresa Vargas/

Teresa Vargas, CMC
City Clerk